

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DARNELL MISSOURI, # 389199,

Petitioner,

v.

Case Number: 08-CV-11660

THOMAS BIRKETT,

Respondent.

**ORDER DENYING PETITIONER'S
MOTION TO FORWARD THE RECORD ON APPEAL AS MOOT**

Pending before the court is Petitioner Darnell Missouri's "Motion to Forward the Record on Appeal," filed on March 25, 2011. (Dkt. # 30.) On October 29, 2009, the court denied Petitioner's petition for writ of habeas corpus and declined to issue him a certificate of appealability. (Dkt. # 18.) Petitioner has filed an appeal from the court's decision and is requesting that the court forward his record to the United States Court of Appeals for the Sixth Circuit. However, the Sixth Circuit has access to his records through the court's internal docketing system. The court therefore denies Petitioner's motion as moot.

Accordingly, IT IS ORDERED that Petitioner's "Motion to Forward the Record on Appeal" [Dkt. # 30] is DENIED as moot.

s/Robert H. Cleland

ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 20, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 20, 2011, by electronic and/or ordinary mail.

s/Lisa G. Wagner

Case Manager and Deputy Clerk
(313) 234-5522